

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD DAY CONSTRUCTION,

Defendant.

) 04 CV 10617 DPW

) COURT OF

) MASSACHUSETTS

) Court No.

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COMPLAINTMAGISTRATE JUDGE Alexander**04 CV 10617 DPW**

The United States of America, by its attorney, Michael J. Sullivan, United States

Attorney for the District of Massachusetts, states as its complaint that:

1. Jurisdiction of this action is conferred on the Court by 28 U.S.C. § 1746.
2. The defendant, Richard Day Construction (hereinafter "Richard Day Construction"), resides in the District of Massachusetts at 72 I Street, Bradford, MA 01835.
3. Richard Day Construction is indebted to the United States in the principal amount of \$9,971.50 plus interest computed at the rate of 5.0 percent per annum for a total amount of \$17,363.85 as of March 22, 2004. Thereafter, interest on the principal amount will accrue at the rate of 5.0 percent per annum until the date of judgment. See Exhibit "A" attached hereto and incorporated herein.
4. Richard Day Construction has failed to repay the aforesaid sum although demand has been duly made.

WHEREFORE, the United States demands judgment against Richard Day Construction in the principal amount of \$9,971.50; plus interest in the amount of \$7,392.35; plus interest on this principal at an annual rate of 5.0 percent per annum until the date of judgment. The United States further demands, pursuant to 28 U.S.C. § 1961, that interest on the judgment accrue at the legal rate until paid in full.

Respectfully submitted,

UNITED STATES OF AMERICA
By its attorneys

MICHAEL J. SULLIVAN
United States Attorney

By:



CHRISTOPHER R. DONATO
Assistant U.S. Attorney
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3303

Dated: March 30 2004

DEPARTMENT OF VETERANS AFFAIRS
 Edith Nourse Rogers
 Memorial Veterans Hospital
 200 Springs Road
 Bedford, MA 01730

In Reply Refer To: RICHARD DAY CONSTRUCTION

CERTIFICATE OF INDEBTEDNESS

DEBTOR(S) NAME(S) AND
 ADDRESS(ES) RICHARD DAY CONSTRUCTION
 72 I STREET
 BRADFORD, MA 01835
 (new address)

04cv1061 / DPW

TOTAL DEBT DUE UNITED STATES AS OF 03/22/04 : \$ 17363.85

I certify that Dept of Veterans Affairs records show that the debtor(s) named above is/are indebted to the United States in the amount stated above, plus additional interest on the principal balance of \$ 9971.50 from 7/19/1996 at the annual rate of 5%. Interest accrues on the principal amount of this debt at the rate of \$0.49 per day.

Richard Day Construction contracted with the Compensated Work Therapy Program (CWT) at the ENRM VA Hospital - Dept of Veterans Affairs for services of the veterans enrolled in CWT program to perform various labor services for this company. The veterans performed services as laborers, carpenters and/or welders and were paid by the CWT program - however, the CWT program was NOT reimbursed by the company as agreed in the contract. This program is a rehabilitation work program which relies on its reimbursements from participating companies to sustain the program and its services to the veterans.

Richard Day Construction is still in business since he has been seen on the local news for controversial business practices.

NOTE: This is a re-submission for collection since original attorney cannot locate the previous submission done in June 1998.

CERTIFICATION: Pursuant to 28 USC section 1746, I certify under penalty of perjury that the foregoing is true and correct.

03/22/04
 DATE

WARREN BERGER, CHIEF, FISCAL SERVICE
 NAME AND TITLE

